

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

---

L.J. ZUCCA, INC.

Plaintiff,

v.

ALLEN BROS. WHOLESALE  
DISTRIBUTORS INC. *et al.*,

Defendants.

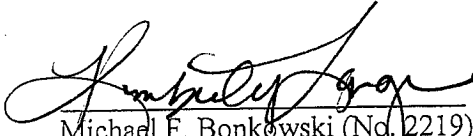
---

CIVIL ACTION NO. 1:07-CV-2-\*\*\*

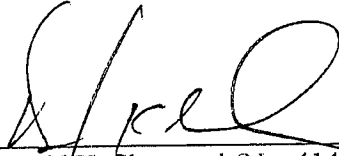
**AMENDED STIPULATION AND ORDER SETTING BRIEFING SCHEDULE FOR  
DEFENDANT'S MOTION TO DISMISS**

THIS MATTER having come before the Court by Plaintiff L.J. Zucca, Inc. and Defendant Cooper-Booth Wholesale Company ("Cooper-Booth"), by and through their counsel; and counsel for the parties having agreed upon the below briefing schedule for Cooper-Booth's pending Motion for Partial Judgment on the Pleadings (DI Nos. 11, 12):

1. Plaintiff L.J. Zucca, Inc. shall file and serve its answering brief and accompanying affidavits, if any, on or before February 22, 2007.
2. Defendant Cooper-Booth shall file and serve its reply brief and accompanying affidavits, if any, on or before March 8, 2007.



Michael F. Bonkowski (No. 2219)  
Kimberly M. Large (No. 4422)  
SAUL EWING LLP  
222 Delaware Avenue, Suite 1200  
Wilmington, DE 19899  
(302) 421-6800  
Attorneys for Plaintiff



David K. Sheppard (No. 4149)  
BLANK ROME LLP  
1201 Market Street  
Suite 800  
Wilmington, DE 19801

and

Stephen M. Orlofsky, Esquire  
Kit Applegate, Esquire  
Blank Rome  
210 Lake Drive East, Suite 200  
Woodland Falls Corporate Park  
Cherry Hill, NJ 08002  
Attorneys for Defendant Cooper-Booth

SO ORDERED this \_\_\_\_ day of February, 2007.

---

Magistrate Judge Mary Pat Thyng

**SAUL  
EWING**  
Attorneys at Law  
A Delaware LLP

Kimberly M. Large  
Phone: (302) 421-6826  
Fax: (302) 421-5883  
klarge@saule.com  
www.saul.com

February 20, 2007

**Via Hand Delivery**

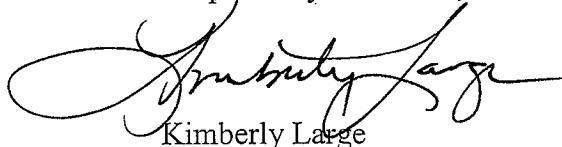
Honorable U.S. Magistrate Judge Mary Pat Thyng  
United States District Court  
844 N. King Street  
Wilmington, DE 19801

Re: **L.J. ZUCCA, INC. v. ALLEN BROS. WHOLESALE DISTRIB., et al.**  
Civil Action No. 1:07-CV-2-\*\*\*

Dear Magistrate Judge Thyng:

This firm is counsel to Plaintiff L.J. Zucca, Inc. Enclosed please find a revised stipulation and draft order with respect to the briefing schedule on a pending Motion to Dismiss by Defendant Cooper-Booth Wholesale Company. This schedule permits each side an additional two days for its response and supplements that Stipulation which was filed on January 31, 2007. We are available at the Court's convenience to discuss this matter should Your Honor have any questions.

Respectfully submitted,



Kimberly Large

Enclosures

cc: David Sheppard, Esq. (by Email)  
Stephen M. Orlofsky, Esq. (by Email)  
Kit Applegate, Esq. (by Email)  
Clerk, United States District Court

P.O. Box 1266 • Wilmington, DE 19899-1266 • Phone: (302) 421-6800 • Fax: (302) 421-6813

Courier Address: 222 Delaware Avenue, Suite 1200 • Wilmington, DE 19801-1611

BALTIMORE CHESTERBROOK HARRISBURG NEWARK PHILADELPHIA PRINCETON WASHINGTON WILMINGTON

A DELAWARE LIMITED LIABILITY PARTNERSHIP